

HOUSE BILL No. 2001

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-42-2-7.

Synopsis: Body piercing a minor. Makes it a Class A misdemeanor to perform body piercing, other than ear piercing, on a minor unless the minor's parent or legal guardian is present and provides written permission. Provides that it is a defense to a charge of body piercing a minor or tattooing a minor that the accused person reasonably believed that the minor was at least 18 years of age.

Effective: July 1, 1999.

Turner

January 27, 1999, read first time and referred to Committee on Public Health.



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First Regular Session 111th General Assembly (1999)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1998 General Assembly.

HOUSE BILL No. 2001

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-42-2-7 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1999]: Sec. 7. (a) As used in this
3 section, "tattoo" means:

- 4 (1) any indelible design, letter, scroll, figure, symbol, or other
5 mark placed with the aid of needles or other instruments; or
6 (2) any design, letter, scroll, figure, or symbol done by scarring;
7 upon or under the skin.

8 **(b) As used in this section, "body piercing" means piercing the**
9 **skin or tongue of a person for the purpose of inserting:**

- 10 **(1) an earring;**
11 **(2) a stud; or**
12 **(3) any other ornamental material.**

13 **However, body piercing does not include ear piercing.**

14 ~~(b)~~ (c) Except as provided in subsections ~~(c)~~, (e) and (f), a person
15 who provides a tattoo to a person who is less than eighteen (18) years
16 of age commits tattooing a minor, a Class A misdemeanor.

17 **(d) Except as provided in subsections (e) and (f), a person who**



1 performs body piercing upon a person who is less than eighteen
2 (18) years of age commits body piercing a minor, a class A
3 misdemeanor.

4 (e) A person may provide a tattoo to a person who is less than
5 eighteen (18) years of age or perform body piercing upon a person
6 who is less than eighteen (18) years of age if a parent or legal
7 guardian of the person receiving the tattoo or undergoing the body
8 piercing:

9 (1) is present at the time the tattoo is provided or the body
10 piercing is performed; and

11 (2) provides written permission for the person to receive the tattoo
12 or undergo the body piercing.

13 (f) With respect to a charge under subsection (c) or (d), it is a
14 defense that the person who engaged in the prohibited conduct
15 reasonably believed that the minor was at least eighteen (18) years
16 of age at the time of the conduct.

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